



STATE MINING AND GEOLOGY BOARD

EXECUTIVE OFFICER'S REPORT



ARNOLD
SCHWARZENEGGER
GOVERNOR

For Meeting Date: February 14, 2008

Agenda Item No. 5: Proposed Schedule for Designation of Mineral Lands.

INTRODUCTION: The primary goals of the Mineral Land Classification and Designation program are to ensure that the mineral resource potential of lands in California are recognized and considered in the land-use planning process by local lead agencies. The primary role of CGS in this process is to provide objective classification data, including forecasting, to the SMGB, lead agencies, and others, in an easily understood format. The role of the SMGB is to conduct public hearings in compliance with SMARA to determine which resource areas identified by CGS are of statewide or regional significance, and “designate” those areas. Lead agencies subsequently incorporate the information provided by CGS and the SMGB into their general plans, and use it in their daily land-use decisions to protect a 50-year supply of aggregate.

STATUTORY AUTHORITY: Pursuant to Public Resources Code (PRC) Section Article 4, Section 2761(a) “*On or before January 1, 1977, and, as a minimum, after the completion of each decennial census, the Office of Planning and Research shall identify portions of the following areas within the state which are urbanized or are subject to urban expansion or other irreversible land uses which would preclude mineral extraction:*

- (1) *Standard metropolitan statistical areas and such other areas for which information is readily available.*
- (2) *Other areas as may be requested by the board.*
- (b) *In accordance with a time schedule, and based upon guidelines adopted by the board, the State Geologist shall classify, on the basis solely of geologic factors, and without regard to existing land use and land ownership, the areas identified by the Office of Planning and Research, any area for which classification has been requested by a petition which has been accepted by the board, or any other areas as may be specified by the board, as one of the following:*
 - (1) *Areas containing little or no mineral deposits.*
 - (2) *Areas containing significant mineral deposits.*
 - (3) *Areas containing mineral deposits, the significance of which requires further evaluation...*

SMARA provides a process for designation of mineral lands or areas of statewide or regional significance pursuant to PRC Article 6, Section 2790 which states “*After receipt of mineral information from the State Geologist pursuant to subdivision (c) of Section 2761, the board may by regulation adopted after a public hearing designate specific geographic areas of the*



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state as areas of statewide or regional significance and specify the boundaries thereof. Such designation shall be included as a part of the state policy and shall indicate the reason for which the particular area designated is of significance to the state or region, the adverse effects that might result from premature development of incompatible land uses, the advantages that might be achieved from extraction of the minerals of the area, and the specific goals and policies to protect against the premature incompatible development of the area.” PRC Section 2791 further states “*The board shall seek the recommendations of concerned federal, state, and local agencies, educational institutions, civic and public interest organizations, and private organizations and individuals in the identification of areas of statewide and regional significance.*”

This process is further discussed in detail in the SMGB’s *Guidelines for Classification and Designation of Mineral Lands (Section II. Procedures for Designation of Lands Containing Significant Mineral Deposits)*. This procedure is as follows:

Upon receipt from the State Geologist of a mineral land classification map and report delineating one or more areas classified as Mineral Resources Zone (MRZ) MRZ-2a or MRZ-2b and a recommendation by the State Geologist that all or parts of the MRZ-2a or MRZ-2b areas be designated, the SMGB may:

- (1) Review the map and report to determine the sufficiency of the submitted data as a basis for designation, and request such additional information as may be required from the State Geologist or other sources.
- (2) Determine the need for, and the priority of, designation, taking into consideration the importance of the mineral deposits to the State or region thereof and the imminence of any threatened land-use changes that would be incompatible with mineral extraction.
- (3) Notify the appropriate lead agencies of the decision to consider designation of mineral resource areas within their jurisdiction.
- (4) Set a date and place for a public hearing to consider the areas which the SMGB proposes to designate as containing mineral deposits of statewide or regional significance. If feasible, the public hearing shall be held in or near the county in which the area proposed for designation occurs.
- (5) Notify all known affected agencies and parties having an interest in the lands being considered for designation.

BACKGROUND: An overall summary of certain program elements of SMARA was presented at the Minerals and Geologic Resources Committee meeting held on



September 14, 2006. The Committee was provided a review and status of the State's mineral resources management program and its components. At its Regular Business Meeting held on May 10, 2007, the SMGB was provided an overview of its Classification and Designation Program, and on September 13, 2007, CGS presented a proposed five-year schedule for mineral land classification. CGS proposed eighteen projects to be scheduled between September 2007 and the year 2010, of which five out of the eighteen had already been initiated. The prioritization of areas to be considered was based on constituency surveys and other considerations. At its Regular Business Meeting held on December 13, 2007, the SMGB accepted CGS's Special Report 198 on the Update of Mineral Land Classification for Portland Cement Concrete-Grade Aggregate in the Palm Springs Production-Consumption (P-C) Region, Riverside County, California, and directed the Committee to commence the administrative procedure for formal designation activities.

DESIGNATION: Designation is the process by which the SMGB formally recognizes the statewide or regional significance of classified mineral resources. If, after receiving a classification report from the State Geologist and the SMGB accepts it, the SMGB may take an additional step to protect those areas classified as MRZ-2. This step is accomplished by "*designating*" some or all of those mineral resources as "*regionally significant*" in meeting the future needs of the region. A formal process to "*designate*" a resource is specified in SMARA and in the SMGB Guidelines (SP 51). Designation routinely follows classification, and the first designation, San Fernando Valley P-C Region, was finalized in January 1982.

The overall designation process reflects the following administrative elements:

- Public meetings to be held in the respective P-C Region.
- An emphasis on MRZ-2 areas.
- Establishment of "*Resource Sectors*", that being lands excluding parks, cemeteries, military bases, existing and planned developments, roads, etc.
- Application of normal setbacks and slopes locally required under Conditional Use Permits, and quantification of resources.
- Presentation to the SMGB for designation decisions.
- Publishing designation report and codify decisions.

A total of ten designations have been completed to date covering 16 P-C Regions. The last designation took place in 1990. At such time, fourteen more P-C Regions remained to be designated. These fourteen regions, and the report designation and year in which the classification updates were completed, were:



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Classification Project	Report Designation	Year
1. Bakersfield	SR 147	1985
2. Barstow-Victorville	OFR 92-06	1993
3. El Dorado County	OFR 2000-03	2000
4. Glenn County	OFR 97-02	1997
5. Merced County	OFR 99-08	1999
6. Nevada County	SR 164	1990
7. Placer County	OFR 95-10	1995
8. Sacramento County	OFR 99-09	1988
9. Shasta County	OFR 97-03	1996
10. San Luis Obispo County-Santa Barbara	SR 162	1991
11. Stanislaus County	SR 173	1993
12. Tehama County	OFR 2000-18	2000
13. Tulare County	OFR 97-01	1997
14. Yuba City-Marysville	SR 132	1986

CGS proposed eighteen mineral lands classification projects to be scheduled between September 2007 and the year 2010, of which five out of the eighteen had already been initiated, are:

Priority	Project	Fiscal Year	Status
A	Palm Springs P-C Region Update	2007/2008	Completed
A	Claremont-Upland P-C Region Update	2007/2008	Completed
A	San Bernardino P-C Region Update	2007/2008	In progress
A	North San Francisco Bay P-C Region Update	2007/2008	In progress
A	Stockton-Lodi P-C Region Update	2007/2008	In progress
	Annual Summary of Mining in California	2008/2009	
B	Bakersfield P-C Region Update	2008/2009	
B	San Luis Obispo-Santa Barbara P-C Region Update	2008/2009	
B	San Gabriel Valley P-C Region Update	2008/2009	
C	Temescal Valley-Orange County P-C Region Update	2008/2009	
C	San Fernando Valley-Saugus-Newhall/Simi/Palmdale P-C Region Update	2008/2009	
C	Nevada County Update	2008/2009	
	Annual Summary of Mining in California	2008/2009	
D	Western San Diego County P-C Region Update	2009/2010	
D	Placer County P-C Region Update	2009/2010	
D	South San Francisco Bay P-C Region Update	2009-2010	
	Annual Summary of Mining in California	2009/2010	
	Statewide Aggregate Availability Map Update	2009/2010	

CALIFORNIA GEOLOGICAL SURVEY'S PROPOSED PROGRAM: Identification of areas for potential designation is derived from the mineral land classification studies. Initial recommendations of areas to be considered for designation by the SMGB are provided from



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the State Geologist. Historically, designation followed mineral land classification studies to make use of the most up-to-date information on the mineral resources in the region.

The SMGB can consider either:

1. Updating or modifying existing designated areas, and/or
2. Designation of areas in regions not previously designated.

It is CGS' recommendation that new designation activities by the SMGB build upon the new mineral land classification updates currently underway. Upon completion of the updated classification studies, as identified during the SMGB's September 13, 2007 Regular Business Meeting, these regions may be considered for designation, or updates to previous designations, which may include removal of areas that have been previously designated. These updated classification studies include both areas that have been previously designated and areas that were never designated after the original classification was completed. As an initial list of candidates for the SMGB to consider, CGS suggests that the SMGB consider the following studies in the order noted below. Six of the eight studies are in urban areas previously classified and portions subsequently designated, and two pending studies, Bakersfield and San Luis Obispo-Santa Barbara, are areas that have not been previously designated.

Project	Status
Palm Springs P-C Region	Classification update completed
Claremont-Upland P-C Region	Classification update completed
San Bernardino P-C Region	Classification update in progress
North San Francisco Bay P-C Region	Classification update in progress
Stockton –Lodi P-C Region	Classification update in progress
Bakersfield P-C Region	Classification update pending
San Luis Obispo-Santa Barbara P-C Region	Classification update pending
San Gabriel Valley P-C Region	Classification update pending

EXECUTIVE OFFICER'S RECOMMENDATIONS: The Executive Officer offers two recommendations. First, it is recommended that the SMGB instruct the Minerals and Geologic Resources Committee to commence activities and public hearings leading to recommendations for Mineral Land Designations by the SMGB. Second, it is recommended that the SMGB also accept the schedule for Mineral Land Designations as provided by the State Geologist, or as modified by the SMGB, and that this schedule be transmitted to the Minerals and Geologic Resources Committee for implementation.



SUGGESTED SMGB MOTION:

To accept findings and recommendations, and instruct the Committee to commence designation hearings:

Mr. Chairman, in light of the information before the SMGB today, I move that the Board accept the findings and recommendations in the Executive Officer's Report, and instruct the Minerals and Geologic Resources Committee to commence activities and public hearings leading to recommendations for Mineral Land Designations by the Board.

To accept the proposed designation schedule and transmit to the Committee:

Mr. Chairman, in light of the information before the SMGB today, I move that the Board accept the schedule for Mineral Land Designations as submitted by the State Geologist [and modified by the Board?], and that this schedule be transmitted to the Minerals and Geologic Resources Committee for implementation.

Respectfully submitted:

Stephen M. Testa
Executive Officer

